

# EXHIBIT 1

1                   IN THE UNITED STATES DISTRICT COURT  
2                   FOR THE WESTERN DISTRICT OF TEXAS  
3                   SAN ANTONIO DIVISION

3 MELODY JOY CANTU and DR.                   )  
4 RODRIGO CANTU,                                )  
5    Plaintiffs,                    )  
6 VS.    ) CIVIL ACTION  
7 DR. SANDRA GUERRA and                        ) NO.: 5:20-CV-00746-JKP  
8 DIGITAL FORENSICS                             ) (HJB)  
9 CORPORATION, LLC,                             )  
10    Defendants.                    )

11                   -----  
12                   ORAL AND VIDEOTAPED DEPOSITION OF

13                   MELODY JOY CANTU

14                   (VIA ZOOM)

15                   JULY 16, 2022  
16                   -----

17                   ORAL AND VIDEOTAPED DEPOSITION OF MELODY JOY CANTU,  
18 produced as a witness at the instance of the DEFENDANT,  
19 and duly sworn, was taken in the above-styled and  
20 numbered cause on July 16, 2022 from 9:06 o'clock a.m.  
21 to 2:17 o'clock p.m., Via Zoom, before  
22 DEBBIE S. LONGORIA, CSR in and for the State of Texas,  
23 reported by machine shorthand, pursuant to the Federal  
24 Rules of Civil Procedure.  
25

1 Spectrum Charter representative discovered the cable  
2 splitter was removed." There's no record of the  
3 splitter being removed by Spectrum Charter, correct?

4 A. Correct.

12:13 5 Q. Mrs. Cantu, is it your allegation that my  
6 client, Dr. Guerra, placed this splitter on the cable  
7 box?

8 MR. EKELAND: Objection. Go ahead and  
9 answer.

12:13 10 THE WITNESS: I think we're asking that  
11 in discovery.

12 Q. (By Ms. Peery) I'm asking what your allegation  
13 is, I'm not asking you for the evidence. Is it your  
14 allegation that Dr. Guerra placed the splitter on the  
12:14 15 cable box?

16 A. Personally or --

17 MR. EKELAND: Objection.

18 Q. (By Ms. Peery) I'm asking if it's part of your  
19 lawsuit. The allegations that you've made in this  
12:14 20 lawsuit, are you alleging that Dr. Guerra personally  
21 placed the splitter on the cable box?

22 MR. EKELAND: Objection. Go ahead and  
23 answer.

24 THE WITNESS: I don't think she  
12:14 25 personally went out there into their yard and did it.

1 Q. (By Ms. Peery) Okay. Is it your allegation  
2 that an employee or representative agent of Digital  
3 Forensics Corporation, LLC placed the splitter on the  
4 cable box?

12:14 5 A. I don't know who did it. Dr. Guerra hired a  
6 lot of people.

7 Q. Okay. But, I'm asking you -- I'm not asking  
8 you who did it. I'm asking you if you are alleging that  
9 DFC placed the splitter on your cable box.

12:15 10 MR. EKELAND: Objection. You can answer.

11 THE WITNESS: I don't think I've --  
12 sorry. I don't think I've alleged anybody did it in  
13 this paragraph.

14 Q. (By Ms. Peery) Have you alleged that  
12:15 15 Dr. Guerra or DFC placed a splitter on the cable box  
16 anywhere in your complaint?

17 MR. EKELAND: Object. You can answer.

18 THE WITNESS: We would have to read the  
19 complaint together and I could answer because I don't  
12:15 20 remember.

21 Q. (By Ms. Peery) Are you -- are you alleging as  
22 part of your lawsuit that Dr. Guerra or DFC placed the  
23 splitter on the cable box?

24 MR. EKELAND: Objection. You can answer.

12:15 25 THE WITNESS: I am alleging that we would

1 need to read the lawsuit. I'm not alleging anything.

2 I'm stating the facts.

3 Q. (By Ms. Peery) Are you stating as a fact that

4 Dr. Guerra or DFC placed the splitter on the cable box?

12:15 5 MR. EKELAND: Objection. You can answer.

6 THE WITNESS: I am stating that I

7 found -- a splitter was found on my cable box. I have

8 not alleged anybody.

9 Q. (By Ms. Peery) You have not alleged that

12:16 10 Dr. Guerra, DFC or anybody else put it there?

11 MR. EKELAND: Objection. You can answer.

12 THE WITNESS: I think we've answered this

13 one three or four times, Tor.

14 MR. EKELAND: You -- the objection's

12:16 15 noted for the record. You can answer her question.

16 THE WITNESS: Okay. I believe as a

17 result of the multiple -- multiple actions Dr. Guerra

18 has taken against me, it would not be outside of her

19 scope of ability to do this.

12:16 20 Q. (By Ms. Peery) But, you don't have any

21 evidence that she did it, that she placed the cable --

22 that she placed the splitter on the cable box?

23 MR. EKELAND: Objection.

24 THE WITNESS: Personally --

12:16 25 MR. EKELAND: Objection. You can answer.

1 THE WITNESS: I don't know. My mother  
2 fell, Brandy. I'm trying to deal with a lot here. My  
3 mom's been in the ER all week.

4 Q. (By Ms. Peery) Is it your allegation that  
12:25 5 Dr. Guerra surveilled you and your family inside your  
6 home?

7 MR. EKELAND: Objection. You can answer.

8 THE WITNESS: I believe that through the  
9 link to my phone, Dr. Guerra listened to conversations.

12:26 10 Q. (By Ms. Peery) Listened to whose  
11 conversations?

12 A. Mine and David's or mine with anybody else.

13 Q. Okay. Is it your allegation that there was  
14 video surveillance by Dr. Guerra?

12:26 15 MR. EKELAND: Objection. You can answer.

16 THE WITNESS: The splitter on the line  
17 would have access to my cameras.

18 Q. (By Ms. Peery) Okay. So is that a yes?

19 A. Yes.

12:26 20 MR. EKELAND: Objection.

21 Q. (By Ms. Peery) You are -- to be clear, you are  
22 alleging in this lawsuit that my client, Dr. Guerra,  
23 conducted video surveillance of you and your children  
24 and Dr. Cantu?

12:26 25 MR. EKELAND: Objection. You can answer.

1 THE WITNESS: I am alleging that a  
2 splitter was placed on my line and the cameras, the  
3 modem and everything associated with that splitter could  
4 access the video cameras and everything else in the  
12:27 5 home.

6 MS. PEERY: Objection, nonresponsive.

7 Q. (By Ms. Peery) It's a yes or no question. Are  
8 you alleging that Dr. Guerra conducted video  
9 surveillance of you, your children and Dr. Cantu?

12:27 10 A. Yes.

11 MR. EKELAND: Objection.

12 Q. (By Ms. Peery) Okay. What evidence do you  
13 have that Dr. Guerra conducted video surveillance of  
14 you, your children and Dr. Cantu?

12:27 15 MR. EKELAND: Objection. You can answer.

16 THE WITNESS: Well, she turned in  
17 multiple reports about surveillance and people  
18 contacting my neighbors, my friends, my relatives. I  
19 believe that the splitter is not an anomaly. I know  
12:28 20 what I heard on my phone and there's a phishing link  
21 there. And so, it is based on experience and reports  
22 that Dr. Guerra has turned in already.

23 Q. (By Ms. Peery) Okay. What reports are you  
24 referring to?

12:28 25 A. The detective.com report specifically states

1 that she called my -- my work, my family members, my  
2 neighbors, my former employers. There was a list of --  
3 of observations already -- already made that she turned  
4 in. And she already sent a phishing link, which she  
12:28 5 turned in and it -- it shows the results were not a  
6 match to my IP address.

7 Q. Okay. So, you're saying that is the evidence  
8 to support your allegation that Dr. Guerra conducted  
9 video surveillance of you and your children and  
12:29 10 Dr. Cantu?

11 MR. EKELAND: Objection. Go ahead and  
12 answer.

13 THE WITNESS: I am saying the splitter is  
14 enough to make -- make one wonder.

12:29 15 Q. (By Ms. Peery) Okay. And you said in your  
16 experience. Are you referring to your experience as --  
17 in technology -- internet technology or wire splitters?  
18 What do you -- what do you mean in your experience?

19 MR. EKELAND: Objection. You can answer.

12:29 20 THE WITNESS: I mean, I heard voices come  
21 through my phone that were talking about how to use a  
22 microphone and it was pretty obvious what was going on.  
23 That's the experience. My SIM card was locked regularly  
24 on my phone. My phone would start playing recordings  
12:29 25 out of the blue. It started acting very odd.



1 Q. (By Ms. Peery) And you're saying that's what  
2 made it obvious that Dr. Guerra was conducting video  
3 surveillance of you, Dr. Cantu and your children?

4 MR. EKELAND: Objection. Go ahead and  
12:30 5 answer.

6 THE WITNESS: Again, the splitter, along  
7 with the multiple companies, indicate that that was a  
8 possibility.

9 Q. (By Ms. Peery) A possibility?

12:30 10 A. Yes.

11 Q. But, you don't have any evidence to say that  
12 it was, in fact, Dr. Guerra or DFC, correct?

13 MR. EKELAND: Objection. Objection. You  
14 can answer.

12:30 15 THE WITNESS: I have Dr. Guerra's  
16 reports. I have what she told police. It's a  
17 reasonable -- it's a reasonable assumption based on  
18 everything she's put me through.

19 Q. (By Ms. Peery) Okay. And what about for DFC,  
12:30 20 what evidence do you have that DFC conducted video  
21 surveillance of you and your family and Dr. Cantu, you  
22 and your children and Dr. Cantu?

23 MR. EKELAND: Objection. You can answer.

24 THE WITNESS: We have the Phase One  
12:31 25 report and Digital Forensics is not participating in

1 discovery and refusing to turnover items, so I'm at a  
2 standstill.

3 Q. (By Ms. Peery) I'm not asking about discovery.  
4 I'm asking -- the whole point of this deposition is for  
12:31 5 me to find out what information you have and what you're  
6 going to testify about at trial. I'm asking what  
7 evidence do you have that DFC conducted video  
8 surveillance of you, your children and Dr. Cantu?

9 MR. EKELAND: Objection.

10 THE WITNESS: I don't --

11 MR. EKELAND: You can answer.

12 THE WITNESS: I don't -- thank you. I  
13 don't think I understand your question. Are you  
14 focusing on the video surveillance because that seems to  
12:31 15 be your point and I don't think I've mentioned video  
16 anywhere in my complaint, so I need you to help me by  
17 clarifying, Brandy.

18 Q. (By Ms. Peery) You just did in your testimony.

19 MR. EKELAND: Objection.

12:32 20 THE WITNESS: I said I lost the use of my  
21 cameras.

22 Q. (By Ms. Peery) Then let me clarify. Are you  
23 alleging that DFC conducted video surveillance of you,  
24 your children and Dr. Cantu?

12:32 25 MR. EKELAND: Objection. You can answer.

1 THE WITNESS: I'm saying it's a  
2 possibility based on the sextortion case in Austin that  
3 they have those capabilities, yes.

4 Q. (By Ms. Peery) And so, my question to you is,  
12:32 5 what evidence do you have that DFC actually conducted  
6 video surveillance of you, Dr. Cantu and your children?

7 MR. EKELAND: Objection.

8 THE WITNESS: It's -- yeah.

9 MR. EKELAND: You can answer.

12:32 10 THE WITNESS: It's getting repetitive.  
11 What evidence I have is that they have done this in the  
12 past to other individuals. They were hired to track me,  
13 to monitor me, or however you want to word it, and it is  
14 an allegation.

12:33 15 Q. (By Ms. Peery) Do you have evidence that DFC  
16 conducted video surveillance of other people?

17 MR. EKELAND: Objection. Go ahead and  
18 answer.

19 THE WITNESS: You would need to reference  
12:33 20 the case in Austin.

21 Q. (By Ms. Peery) I'm asking you if you have  
22 evidence.

23 A. I don't personally have --

24 MR. EKELAND: Objection. Go ahead and  
12:33 25 answer.

1 THE WITNESS: I do not personally have  
2 that evidence.

3 Q. (By Ms. Peery) Are you alleging that --  
4 because you asked me to clarify. We just talked about  
12:33 5 video surveillance. Are you alleging that DFC or  
6 Dr. Guerra conducted any audio or other form of  
7 surveillance of you, Dr. Cantu and your children?

8 MR. EKELAND: Objection. You can answer.

9 THE WITNESS: Yes.

12:34 10 Q. (By Ms. Peery) Okay. What?

11 A. Surveilling my -- sorry.

12 MR. EKELAND: Objection. You can answer.

13 THE WITNESS: Surveilling my phone.

14 Q. (By Ms. Peery) You mean surveilling your  
12:34 15 conversations?

16 A. My whole phone, not just conversations,  
17 photos.

18 Q. Okay.

19 A. Text messages. I believe my phone was  
12:34 20 absolutely monitored when that phishing link was sent to  
21 me.

22 Q. Okay. And it's your allegation that it was  
23 Dr. Guerra who was monitoring and surveilling your --  
24 your phone and all the content on your phone?

12:34 25 MR. EKELAND: Objection. You can answer.

1 THE WITNESS: It is my understanding,  
2 based on my criminal and seeing the evidence in the  
3 criminal file, her Phase One report, that she directed  
4 DFC to send me a phishing link.

12:34 5 Q. (By Ms. Peery) What evidence in the criminal  
6 file are you referring to?

7 A. The --

8 THE WITNESS: Tor, may I answer?

9 MR. EKELAND: Yeah. Objection. Go ahead  
12:35 10 and answer.

11 THE WITNESS: The Digital Forensic report  
12 that Dr. Guerra produced in this case.

13 Q. (By Ms. Peery) Okay. But, you just referenced  
14 in the criminal matter. What evidence in the criminal  
12:35 15 matter are you referring to?

16 THE WITNESS: Tor?

17 MR. EKELAND: Go ahead and answer.

18 THE WITNESS: Do you want me to -- okay.  
19 She produced the same report.

12:35 20 Q. (By Ms. Peery) Okay. And are you alleging  
21 that DFC is surveilling your phone and all the content  
22 on your phone?

23 MR. EKELAND: Objection. You can answer.

24 THE WITNESS: Please clarify.

12:35 25 Q. (By Ms. Peery) Well, we just went through it

1 with Dr. Guerra, the same questions. You're saying --  
2 are you alleging that DFC is surveilling your  
3 conversations, your e-mails, your text messages,  
4 everything that you do on your cell phone, are you  
12:35 5 alleging that DFC is surveilling that?

6 A. Not currently, no.

7 MR. EKELAND: Objection.

8 Q. (By Ms. Peery) Are you alleging that they have  
9 in the past?

12:36 10 MR. EKELAND: Objection. Go ahead and  
11 answer.

12 THE WITNESS: Yes, I am.

13 Q. (By Ms. Peery) Okay. What evidence do you  
14 have to support that allegation?

12:36 15 MR. EKELAND: Objection. Go ahead and  
16 answer.

17 THE WITNESS: The voices that come  
18 through the phone, being locked out of my SIM card, the  
19 phone's behavior and the report from Dr. Guerra.

12:36 20 Q. (By Ms. Peery) Okay. Other than the report  
21 from Dr. Guerra, what are those prior things -- how does  
22 that establish that it was DFC?

23 MR. EKELAND: Objection.

24 Q. (By Ms. Peery) Does it say it came from DFC?

12:36 25 MR. EKELAND: Objection. I'm sorry, I

1 thought you were finished with your question.

2 MS. PEERY: That's okay.

3 Q. (By Ms. Peery) The voices that you say you  
4 hear coming from the phone, are you alleging that those  
12:36 5 voices come from DFC?

6 MR. EKELAND: Objection. Go ahead and  
7 answer.

8 THE WITNESS: I believe they were  
9 associates of Digital Forensics Corporation.

12:36 10 Q. (By Ms. Peery) Okay. You believe they were.  
11 What evidence do you have to establish that they were  
12 associates of DFC?

13 MR. EKELAND: Objection. Go ahead and  
14 answer.

12:37 15 THE WITNESS: I believe that the phishing  
16 link was malicious. I believe that Dr. Guerra sent it  
17 to get an edge up on the family case. And I believe  
18 that that's why she sent it was to monitor our phones.  
19 And I believe that she hired Digital Forensics to do it.

12:37 20 Q. (By Ms. Peery) All right. Well, you've  
21 referred to the criminal case, so let's -- let's talk  
22 about that.

23 MS. PEERY: Kyle, can you pull up  
24 Exhibit 3, paragraph 45? There we go.

12:37 25 Q. (By Ms. Peery) "On December 20th, 2018, Melody

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

MELODY JOY CANTU and DR. )  
RODRIGO CANTU, )  
 )  
Plaintiffs, )  
 ) CIVIL ACTION  
VS. )  
 ) NO.: 5:20-CV-00746-JKP  
 ) (HJB)  
DR. SANDRA GUERRA and )  
DIGITAL FORENSICS )  
CORPORATION, LLC, )  
 )  
Defendants. )

REPORTER'S CERTIFICATION  
DEPOSITION OF MELODY JOY CANTU  
JULY 16, 2022

I, Debbie S. Longoria, Certified Shorthand Reporter  
in and for the State of Texas, hereby certify to the  
following:

That the witness, MELODY JOY CANTU, was duly sworn  
by the officer and that the transcript of the oral  
deposition is a true record of the testimony given by  
the witness;

I further certify that pursuant to FRCP Rule 30(f)  
(1) that the signature of the deponent:

\_\_\_\_\_ was requested by the deponent or a party before  
the completion of the deposition and returned within 30



1 days from date of receipt of the transcript. If  
2 returned, the attached Changes and Signature Page  
3 contains any changes and the reasons therefor;

4   X   was not requested by the deponent or a party  
5 before the completion of the deposition.

6 I further certify that I am neither attorney nor  
7 counsel for, related to, nor employed by any of the  
8 parties to the action in which this testimony was taken.

9 Further, I am not a relative or employee of any  
10 attorney of record in this cause, nor do I have a  
11 financial interest in the action.

12 Subscribed and sworn to on this the 28th day  
13 of July, 2022.

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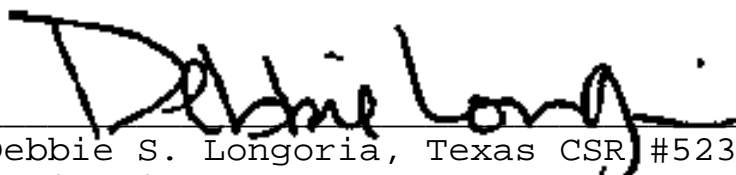
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Debbie S. Longoria, Texas CSR #5232  
Expiration Date: 10/31/23  
Lexitas - Firm Registration No. 539  
100 N.E. Loop 410, Suite 955  
San Antonio, Texas 78216  
(210) 481-7575